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TITLE 6—AGRICULTURAL CREDIT

Chapter I—Farm Credit Administration, Department of Agriculture

PART 10—FEDERAL LAND BANKS

INSURANCE REQUIREMENTS FOR BANK AND COMMISSIONER LOANS

Sections 10.191 through 10.194 of Chapter I, Title 6, Code of Federal Regulations are hereby amended to read as follows:

§ 10.191 *Manner in which mortgagor's option to use loss proceeds shall be exercised.* The bank or association as promptly as possible after the receipt of the sum referred to in § 10.190 shall send to the mortgagor a notice in writing thereof. Within 30 days after such notice is sent, if the mortgagor desires to exercise his option, he shall so notify the bank or association in writing. With such notice or within 30 days thereafter, unless such time for good cause be extended, the mortgagor shall furnish information in such form as shall be satisfactory covering the plans of the mortgagor for the reconstruction of the building involved in sound and serviceable form and condition, at least equal to that which existed immediately prior to the loss. Within said 30 days the mortgagor shall also furnish satisfactory assurance that such reconstruction will be completed within a reasonable time, and that there will be no unsatisfied liens for labor, materials, and/or other expenses that will have priority over the mortgage when such reconstruction shall have been completed or when the said sum received shall have been paid to or for the account of the mortgagor.

§ 10.192 *Loss proceeds not to be disbursed in absence of evidence that prior liens will not attach.* No sum received shall be paid to or for the account of the mortgagor for the purpose of enabling him to reconstruct a building until the bank or association is satisfied that no lien by reason of reconstruction of the buildings covered by such insurance will have priority over the mortgage thereon. The regulations adopted by the bank should establish adequate safeguards with respect to such disbursements.

§ 10.193 *Reconstruction of improvements in different form.* If the mortgagor desires to use the insurance money, in whole or in part, in order to replace the building involved with an insurable building of less expensive type, or to substitute any other insurable building, the said fund may be used for such purpose, provided the land bank or association is satisfied that the proposed building will be suitable and adequate to the agricultural needs of the farm.

§ 10.194 *Evidence that mortgagor can supply additional funds; meaning of term "reconstruction."* If the sum received (after making the deductions, if any, authorized by the regulations in §§ 10.183 to 10.197, inclusive) be inadequate to enable the mortgagor to reconstruct as herein provided, and he desires nevertheless to do so, he shall furnish satisfactory assurance that he will have the necessary additional funds. Where, under the regulations in §§ 10.183 to 10.197, inclusive, a building may be repaired, replaced, or substituted, the operations involved shall be deemed to be covered by the words "reconstruct" or "reconstruction," as the case may require.

(Sec. 12 "Ninth" 39 Stat. 370; 12 U. S. C. 771 "Ninth")

[SEAL] J. R. ISLEIB,
Land Bank Commissioner.

[F. R. Doc. 47-1397; Filed, Feb. 12, 1947; 8:49 a. m.]

TITLE 7—AGRICULTURE

Chapter I—Production and Marketing Administration (Standards, Inspections, Marketing Practices)

PART 47—RULES OF PRACTICE UNDER THE PERISHABLE AGRICULTURAL COMMODITIES ACT, 1930

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Secretary of Agriculture by the Administrative Procedure Act (60 Stat. 237; 5 U. S. C. 1001 et seq.) and the Perishable Agricultural Commodities Act, 1930, as amended (46 Stat. 531; 7 U. S. C. 1940 ed.

(Continued on p. 1025)

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FEDERAL REGISTER

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NOTICE

General notices of proposed rule making, published pursuant to section 4 (a) of the Administrative Procedure Act (Pub. Law 404, 79th Cong., 60 Stat. 238) which were carried under "Notices" prior to January 1, 1947 are now presented in a new section entitled "Proposed Rule Making" Relationship of these documents to material in the Code of Federal Regulations, formerly shown by cross reference under the appropriate Title, is now indicated by a bold-face citation in brackets at the head of each document.

CONTENTS—Continued

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such in parentheses.

[1] P. L. O. 343.

CODIFICATION GUIDE—Con.

[2] P. L. O. 344.
[3] P. L. O. 345.

CODIFICATION GUIDE—Con.

499a et seq. and Supp. IV 499b) the rules of practice issued under the Perishable Agricultural Commodities Act, 1930, as amended (10 F. R. 2209, 8685; 11 F. R. 224) are further amended as follows:

1. By deleting paragraphs (i) (j) and (l) of § 47.2 and substituting the following:

§ 47.2 *Definitions.* * * *

(i) "Examiner" means any examiner in the Office of Hearing Examiners, United States Department of Agriculture.

(j) "Examiner's report" means the examiner's report to the Secretary, and includes the examiner's proposed (1) findings of fact and conclusions with respect to all material issues of fact, law or discretion, as well as the reasons or basis therefor, (2) order and (3) rulings on findings, conclusions and orders submitted by the parties.

* * * * *

(l) "Hearing Clerk" means the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C.

2. By striking paragraph (b) (2) of § 47.3 and substituting the following:

§ 47.3 *Institution of proceedings.* * * *

(b) *Investigation and disposition of informal complaints.* * * *

(2) If the statements in the informal complaint and the investigation thereunder seem to warrant such action, and, in any case except one of wilfullness or one in which public health, interest or safety otherwise requires, which may result in the suspension or revocation of a license, the Director, in an effort to effect an amicable or informal adjustment of the matter, shall give written notice to the person complained against of the facts or conduct concerning which complaint is made, and shall afford such person an opportunity, within a reasonable time fixed by the Director, to demonstrate or achieve compliance with the applicable requirements of the act and regulations promulgated thereunder.

3. By deleting paragraph (a) (c) and (e) of § 47.29 and substituting the following:

§ 47.29 *Examiners.* (a) *Assignment.* No examiner shall be assigned to serve in any proceeding who (1) has any pecuniary interest in any matter or business involved in the proceeding, (2) is related within the third degree by blood or marriage to any party to the proceeding, or (3) has participated in the investigation preceding the institution of the proceeding or in the determination that it should be instituted or in the preparation of the complaint or in the development of the evidence to be introduced therein.

* * * * * *

(c) *Conduct.* The examiner shall conduct the proceeding in a fair and impartial manner and, save to the extent required for the disposition of ex parte matters as authorized by law, he shall not consult any person or party on any fact in issue unless upon notice and opportunity for all parties to participate.

* * * * * *

(e) *Who may act in absence of examiner* In case of the absence of the examiner or his inability to act, the powers and duties to be performed by him under these rules of practice in connection with a proceeding may, without abatement of the proceeding unless otherwise ordered by the Secretary, be assigned to any other examiner.

4. By deleting paragraphs (a), (b) and (c) of § 47.30 and substituting the following:

§ 47.30 *The answer*—(a) *Filing and service.* Within 20 days after the service of the moving paper, the respondent shall file, in triplicate, with the hearing clerk, an answer, signed by the respondent or his attorney: *Provided*, That the Secretary may order that the hearing be held without answer or other pleading. The answer shall be served upon the complainant, and any other party of record, by the hearing clerk.

(b) *Contents; failure to file.* Such answer shall (1) contain a statement of the facts which constitute the grounds of defense, and shall specifically admit, deny, or explain each of the allegations of the moving paper unless the respondent is without knowledge, in which case the answer shall so state; or (2) state that the respondent admits all of the allegations of the moving paper. The answer may contain a waiver of hearing.

Failure to file an answer to, or plead specifically to, any allegation of the moving paper shall constitute an admission of such allegation.

(c) *Procedure upon admission of facts.* The admission, in the answer or by failure to file an answer, of all the material allegations of fact contained in the moving paper shall constitute a waiver of hearing. Upon such admission of facts, the examiner, without further investigation or hearing, shall prepare his report, in which he shall adopt as his proposed findings of fact the material facts alleged in the moving paper. Unless the parties have waived service of the examiner's report, it shall be served upon them by the hearing clerk. The parties shall be given an opportunity to file exceptions to the report, to file briefs in support of such exceptions, and to make oral argument thereon before the Secretary. Any request to make oral argument before the Secretary must be filed in the manner and within the time provided in § 47.40.

5. By deleting paragraphs (b), (c) (d), and (e) of § 47.37 and substituting the following:

§ 47.37 *Post hearing procedure before the examiner.* * * *

(b) *Proposed findings of fact, conclusions and order.* Within 10 days after receipt of notice that the transcript has been filed, each party may file with the hearing clerk proposed findings of fact, conclusions, and order, based solely upon the record, and a brief in support thereof.

(c) *Examiner's report.* The examiner, within reasonable time after the termination of the period allowed for the filing of proposed findings of fact, conclusions and orders, and briefs in support thereof, shall prepare, upon the basis of the record and shall file with the hearing clerk, his report, a copy of which shall be served by the hearing clerk upon each of the parties.

(d) *Exceptions to examiner's report.* Within 20 days after receipt of the examiner's report, the parties may file exceptions to the report. Any party who desires to take exceptions to any matter set out in the report shall transmit his exceptions in writing to the hearing clerk, referring to the relevant pages of the transcript, and suggesting a corrected finding of fact, conclusion, or order. Within the same period of time, each party shall transmit to the hearing clerk a brief statement in writing concerning each of the objections taken to the action of the examiner at the hearing, as provided in § 47.32, upon which the party wishes to rely, referring, where relevant, to the pages of the transcript. A party, if he files exceptions or a statement of objections, shall state in writing whether he desires to make an oral argument thereon before the Secretary; otherwise, he shall be deemed to have waived such oral argument.

(e) [Revoked.]

6. By striking paragraph (i) of § 47.38 and substituting therefor the following:

§ 47.38 *Shortened procedure.* * * *

(i) *Examiners report under the shortened procedure.* Except as otherwise may be directed by the examiner, the filing of the complainant's statement in reply will conclude the presentation of evidence. The examiner will thereupon file with the hearing clerk a notice that the parties may file proposed findings of fact, conclusions, and orders within 10 days after service of such notice. Upon the expiration of the period set for the filing of proposed findings, conclusions and orders, the examiner will prepare his report, and the same procedure will be followed thereafter as in proceedings where an oral hearing has been held.

7. By striking § 47.39 and substituting therefor the following:

§ 47.39 *Transmittal of record.* The hearing clerk, immediately following the period allowed for the filing of exceptions, shall certify to the Secretary the record of proceeding. Such record shall include: The pleadings; motions and requests filed and rulings thereon; the transcript of the testimony taken at the hearing, together with the exhibits filed therein, any statements filed under the shortened procedure; any documents or papers filed in connection with prehearing conferences; such proposed findings of fact, conclusions and orders, and briefs in support thereof, as may have been filed in connection with the hearings; the examiner's report, and such exceptions, statements of objections and briefs in support thereof, as may have been filed in the proceeding.

8. By striking the first sentence of paragraph (a) of § 47.41 and substituting therefor the following:

§ 47.41 *Consideration and issuance of order* (a) As soon as practicable after the receipt of the record from the hearing clerk, or, in case oral argument was had, as soon as practicable thereafter, the Secretary, upon the basis of and after due consideration of the record, shall prepare his order in the proceeding which shall include findings, conclusions, order, and rulings on motions, exceptions, statements of objections, and proposed findings, conclusions and orders submitted by the parties, not theretofore ruled upon.

9. By striking paragraph (b) of § 47.42 and substituting therefor the following:

§ 47.42 *Rehearing, reargument, reconsideration of orders, and reopening of hearing.* * * *

(b) *Petition to reopen.* A petition to reopen a hearing to take further evidence may be filed at any time prior to the issuance of the final order. Every such petition shall state briefly the nature and purpose of the evidence to be adduced, shall show that such evidence is not merely cumulative, and shall set forth a good reason why such evidence was not adduced at the hearing. Every such petition shall be served by the hearing clerk on the other party in the proceeding.

10. By adding § 47.45 as follows:

§ 47.45 *Amendment to rules governing reparation proceedings.* Whenever the term "examiner" is used in § 47.6 to § 47.25, both inclusive (which are the rules applicable to reparation proceedings) or in any section or paragraph incorporated by reference or referred to in said sections, such term shall be deemed to mean "presiding officer" insofar as reparation proceedings are concerned.

11. By adding § 47.46 as follows:

§ 47.46 *Rule applicable to all proceedings.* The Secretary may act in the place and stead of an examiner or presiding officer in any proceeding hereunder. When he so acts, the hearing clerk shall transmit the record to the Secretary at the expiration of the period provided for the filing of proposed findings of fact, conclusions and orders, and the Secretary shall thereupon, after due consideration of the record, issue his final order in the proceeding; *Provided,* That he may issue a tentative order in which event the parties shall be afforded an opportunity to file exceptions before the issuance of the final order.

12. By striking the word "suggested" wherever it appears in §§ 47.19 to 47.22, inclusive; 47.30 and 47.37 to 47.39, inclusive, and substituting in lieu thereof the word "proposed."

NOTE: Unless otherwise ordered, all proceedings initiated under the Perishable Agricultural Commodities Act, 1930 and pending on December 11, 1946, shall be conducted and concluded in accordance with the applicable rules of practice in effect at the time the proceedings were instituted.

(46 Stat. 531, 7 U. S. C. 499a–499r)

Done at Washington, D. C., this 7th day of February 1947. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-1366; Filed, Feb. 12, 1947; 8:46 a. m.]

PART 52—PROCESSED FRUITS, VEGETABLES, AND OTHER PRODUCTS (INSPECTION, CERTIFICATION, AND STANDARDS)

STANDARDS FOR CANNED SWEET POTATOES[1]

On November 28, 1946, notice of proposed rule making was published in the FEDERAL REGISTER (11 F R. 13921, 12 F R. 34) regarding the proposed revision of United States Standards for Grades of Canned Sweetpotatoes. After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice, the following revised United States Standards for Grades of Canned Sweetpotatoes are hereby promulgated pursuant to the provisions of the Department of Agriculture Appropriation Act, 1947 (Pub. Law 422, 79th Cong.)

§ 52.662 *Canned sweetpotatoes*—(a) *Identity.* "Canned sweetpotatoes" means canned sweetpotatoes as defined in the definitions and standards of identity for canned vegetables (21 CFR, Cum. Supp., 52.990) issued pursuant to the Federal Food, Drug, and Cosmetic Act.

(b) *Styles of canned sweetpotatoes.* (1) "Whole" or "whole sweetpotatoes" means canned sweetpotatoes that retain the approximate original conformation of the prepared sweetpotatoes.

(2) "Pieces" or "pieces of sweetpotatoes" means canned sweetpotatoes that consist of cut (including, but not being limited to, sweetpotatoes that are halved longitudinally) or broken units.

(3) "Mashed" or "mashed sweetpotatoes" means canned sweetpotatoes that are wholly comminuted or crushed.

(4) Any combination of two or more of the following styles constitutes a style: whole, pieces, or mashed.

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

(c) *Types of packs of canned sweetpotatoes.* In addition to styles, canned sweetpotatoes are usually processed as any one of the following types of packs:

(1) In a liquid packing medium.

(2) "Vacuum-pack (without packing media)"

(3) "Solid-pack" or "dry-pack."

(d) *Grades of canned sweetpotatoes.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of canned sweetpotatoes that possess similar varietal characteristics; possess a practically uniform bright typical color; are practically free from defects; possess a good character; possess a normal flavor; and that are of such quality with respect to shape and size or consistency as to score not less than 85 points when scored in accordance with the scoring system outlined herein.

(2) "U. S. Grade C" or "U. S. Standard" is the quality of canned sweetpotatoes that possess a fairly good typical color; are fairly free from defects; possess a fairly good character; possess a normal flavor; and that are of such quality with respect to shape and size or consistency as to score not less than 70 points when scored in accordance with the scoring system outlined herein.

(3) "U. S. Grade D" or "Substandard" is the quality of canned sweetpotatoes that fail to meet the requirements of U. S. Grade C or U. S. Standard.

(e) *Sirup density.* Sirup "cut-out" requirements of sweetpotatoes packed in a liquid packing medium are not incorporated in the grades of the finished product since sirup, as such, is not a factor of grade for the purpose of these grades.

(f) *Recommended fill of container* It is recommended that the container be filled with sweetpotatoes as full as practicable without impairment of quality and that the product and packing medium, if any, occupy not less than 90 percent of the capacity of the container.

(g) *Recommended drained weight.* (1) The drained weight recommendations in Table No. 1 hereof are not incorporated in the grades of the finished product since drained weight, as such, is not a factor of quality for the purpose of these grades.

(2) The drained weight recommendations in Table No. 1 hereof are not applicable to canned sweetpotatoes packed as "vacuum-pack (without packing media)" or as "solid-pack" or "dry-pack."

(3) Drained weights of sweetpotatoes packed in a liquid packing medium are determined by emptying the contents of the container upon a circular sieve of proper diameter containing 8 meshes to the inch (0.097-inch square openings) and allowing to drain for 2 minutes. A sieve 8 inches in diameter is used for No. 3 size cans (404 x 414) and smaller, and a sieve 12 inches in diameter in used for containers larger than the No. 3 size can (404 x 414)

TABLE NO. 1

[Recommended drained weights of sweetpotatoes packed in a liquid packing medium]

Container size or designation:	*Drained weight (ounces)*
No. 2	14
No. 2½	19
No. 3 vacuum or squat (404 x 307)	15
No. 10	75

(h) *Ascertaining the grade.* "Normal flavor" means that the product is free from objectionable ordors or objectionable flavors of any kind. The grade of canned sweetpotatoes may be ascertained by considering, in addition to the requirements of the respective grade, the following factors: Color, shape and size or consistency, absence of defects, and character. The relative importance of each factor is expressed numerically on a scale of 100. The maximum number of points that may be given for each factor is:

	Points
(1) Color	20
(2) Shape and size or consistency	20
(3) Absence of defects	40
(4) Character	20
Total score	100

(i) *Ascertaining the rating of each factor.* The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor is inclusive (for example, "17 to 20 points" means 17, 18, 19, or 20 points).

(1) *Color* (i) Canned sweetpotatoes that possess a practically uniform bright typical color may be given a score of 17 to 20 points. "Practically uniform bright typical color" means that the sweetpotatoes possess a color that is typical of sweetpotatoes of similar varietal characteristics, is bright, and may range from light yellow to a deep golden color.

(ii) If the canned sweetpotatoes possess a fairly good color, a score of 14 to 16 points may be given. Canned sweetpotatoes that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule) "Fairly good color" means that the sweetpotatoes possess a color that may be variable or slightly dull and may range from light yellow to a deep golden color.

(iii) Canned sweetpotatoes that are definitely off-color for any reason or that fail to meet the requirements of subparagraph (1) (ii) of this paragraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule)

(2) *Shape and size or consistency.* (i) Whole and pieces (whether packed singly or in combination) packed in a liquid packing medium or as "vacuum-pack (without packing media)" that are practically uniform in size and shape and canned sweetpotatoes packed as "solid-pack" or "dry-pack" that possess a good consistency may be given a score of 17 to 20 points. "Practically uniform in shape and size" and "good consistency" have the following meanings with respect to the following styles and types of packs of canned sweetpotatoes:

Whole and pieces (whether packed singly or in combination) in a liquid packing medium or "vacuum-pack (without packing media)" "Practically uniform in shape and size" means that the units of a single style may vary moderately in shape and that the weight of the largest unit, irrespective of style, is not more than twice the weight of the second smallest unit, irrespective of style.

Whole, pieces, and mashed (whether packed singly or in combination) packed as "solid-pack" or "dry-pack." "Good consistency" means that the sweetpotatoes possess a stiff consistency which may show a slight separation of free liquid.

(ii) If whole and pieces (whether packed singly or in combination) packed in a liquid packing medium or as "vacuum-pack (without packing media)" are fairly uniform in shape and size or if the canned sweetpotatoes packed as "solid-pack" or "dry-pack" possess a fairly good consistency, a score of 14 to 16 points may be given. "Fairly uniform in shape and size" and "fairly good consistency" have the following meanings with respect to the following styles and types of packs of canned sweetpotatoes:

Whole and pieces (whether packed singly or in combination) in a liquid packing medium or "vacuum-pack (without packing media)" "Fairly uniform in shape and size" means that the units of a single style may vary considerably in shape and that the weight of the largest unit, irrespective of style, is not more than three times the weight of the second smallest unit, irrespective of style.

Whole, pieces, and mashed (whether packed singly or in combination) packed as "solid-pack" or "dry-pack." "Fairly good consistency" means that the sweetpotatoes possess a thick consistency but may not be free flowing.

(iii) Canned sweetpotatoes that fail to meet the requirements of subparagraph (2) (ii) of this paragraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule).

(3) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from particles of peel, secondary rootlets, untrimmed fibrous ends, discolored areas, or from other similar defects.

(i) Canned sweetpotatoes that are practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that the product contains not more than a slight amount of particles of peel, secondary rootlets, untrimmed fibrous ends, discolored areas, or other similar defects which do not materially affect the appearance or the edibility of the product.

(ii) If the canned sweetpotatoes are fairly free from defects, a score of 28 to 33 points may be given. Canned sweetpotatoes that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly free from defects" means that the particles of peel, secondary rootlets, untrimmed fibrous ends, discolored areas, or other similar defects may be definitely noticeable but are not so prominent as to affect seriously the appearance or the edibility of the product.

(iii) Canned sweetpotatoes that fail to meet the requirements of subparagraph (3) (ii) of this paragraph may be given a score of 0 to 27 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule).

(4) *Character.* The factor of character refers to the texture and condition of the flesh, the degree of freedom from tough or coarse fibers, the tenderness of the canned sweetpotatoes, and the tendency of sweetpotatoes packed in a liquid packing medium or as "vacuum-pack (without packing media)" to retain their apparent original conformation and size without disintegration.

(i) Canned sweetpotatoes that possess a good character may be given a score of 17 to 20 points. "Good character" has the following meanings with respect to the following styles and types of packs of canned sweetpotatoes:

Whole and pieces (whether packed singly or in combination) in a liquid packing medium or "vacuum-pack (without packing media)." "Good character" means that the units possess a uniformly smooth texture, are practically free from tough or coarse fibers, and may be soft to firm but hold their apparent original conformation and size without material disintegration.

Whole, pieces, and mashed packed as "solid-pack" or "dry-pack." Good character" means that any units present possess a uniformly smooth texture, are practically free from tough or coarse fibers, and may be soft to firm and that any mashed sweetpotatoes present possess a uniformly smooth texture, practically free from tough or coarse fibers.

Mashed. "Good character" means that the mass possesses a uniformly smooth texture and is free from tough or coarse fibers.

(ii) If the canned sweetpotatoes possess a fairly good character, a score of 14 to 16 points may be given. Canned sweetpotatoes that fall into this classification shall not be graded above U. S. Grade C or U. S. Standard, regardless of the total score for the product (this is a limiting rule). "Fairly good character" has the following meanings with respect to the following styles and types of packs of canned sweetpotatoes:

Whole and pieces (whether packed singly or in combination) in a liquid packing medium or "vacuum-pack (without packing media)." "Fairly good character" means that the units possess a fairly uniform texture, may possess a few tough or coarse fibers, may be variable in tenderness but are not tough, may be very soft to very firm, and may possess slight or partial disintegration of the units.

Whole, pieces, and mashed packed as "solid-pack" or "dry-pack." "Fairly good character" means that any units present possess a fairly uniform texture, may possess a few tough or coarse fibers, may be variable in tenderness but are not tough, and may be very soft to very firm and that any mashed sweetpotatoes present possess a fairly uniform texture, may be coarse but are practically free from lumps, and may possess a few tough or coarse fibers.

Mashed. "Fairly good character" means that the mass possesses a fairly uniform texture, may be coarse but is free from lumps and that not more than a few tough or coarse fibers may be present.

(iii) Canned sweetpotatoes that fail to meet the requirements of subparagraph (4) (ii) of this paragraph may be given a score of 0 to 13 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product (this is a limiting rule)

(j) *Tolerance for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned sweetpotatoes the grade for the lot will be determined by averaging the scores of all containers, if: (i) Not more than one-sixth of the containers fail to meet the requirements of the grade indicated by the average score;

(ii) None of the containers falls more than 4 points below the minimum score for the grade indicated by the average score;

(iii) Not more than one-sixth of the containers fail to meet the requirements of the indicated grade by reason of a limiting rule;

(iv) The average score of all containers for the limiting factor is within the range for the grade indicated by the average score; and

(v) No container falls below any applicable standard of quality promulgated under the Federal Food, Drug, and Cosmetic Act.

(k) *Score sheet for canned sweetpotatoes.*

Container size			----
Container code or marking			----
Label			----
Net weight (in ounces)			----
Vacuum (in inches)			----
Drained weight (in ounces)			----
Brix (if packed in a packing media)			----
Style and type of pack			----
Count (whole)			----
Factors	Score points		
I. Color	20	(A) 17-20 (C) 14-16 [1] (D) 0-13 [1]	---- ---- ----
II. Shape and size or consistency	20	(A) 17-20 (C) 14-16 (D) 0-13 [1]	---- ---- ----
III. Absence of defects	40	(A) 34-40 (C) 28-33 [1] (D) 0-27 [1]	---- ---- ----
IV Character	20	(A) 17-20 (C) 14-16 [1] (D) 0-13 [1]	---- ---- ----
Total score	100		----
Grade			----
Normal flavor			----

[1] Indicates limiting rule within classification.

(l) *Effective time and supersedure.* The United States Standards for Grades of Canned Sweetpotatoes (which are the third issue) contained in this section shall become effective on and after 12:01 a. m., e. s. t., March 15, 1947, and shall thereby supersede the standards that have been in effect since August 1, 1934.

(Pub. Law 422, 79th Cong.)

Done at Washington, D. C., this 7th day of February 1947.

[SEAL] E. A. MEYER,
Acting Administrator Production and Marketing Administration.

[F. R. Doc. 47-1370; Filed, Feb. 12, 1947; 8:47 a. m.]

Chapter VII—Production and Marketing Administration (Agricultural Adjustment)

PART 701—NATIONAL AGRICULTURAL CONSERVATION PROGRAM

SUBPART—1947 OREGON

Correction

In § 701.874 (j) (41) of F R. Doc. 46-21515, appearing at page 14419 of the issue for Tuesday, December 17, 1946, the payment rate per acre should read "$5.00."

TITLE 10—ARMY WAR DEPARTMENT

Chapter V—Military Reservations and National Cemeteries

PART 501—LIST OF EXECUTIVE ORDERS, PROCLAMATIONS, AND PUBLIC LAND ORDERS AFFECTING MILITARY RESERVATIONS

VIRGIN ISLANDS AND NEW MEXICO

CROSS REFERENCE: For orders affecting the tabulation contained in § 501.1, see Public Land Order 170, transferring jurisdiction over certain lands on the Island of Saint Croix, Virgin Islands, from the Department of the Interior to the War Department, and Public Land Orders 344 and 345, revoking withdrawals of certain lands in New Mexico for War Department use, under Title 43, *infra.*

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Regs., Amdt. 03-1]

PART 03—AIRPLANE AIRWORTHINESS; NORMAL, UTILITY, ACROBATIC, AND RESTRICTED PURPOSE CATEGORIES

SERVICE TESTS FOR AIRCRAFT

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 4th day of February 1947.

A study of accidents and maintenance problems of relatively new model aircraft indicates that in the initial stages of operating such new aircraft extensive maintenance difficulties are apt to occur. Such a situation is undoubtedly conducive to accidents caused by mechanical malfunctioning of the troublesome components or equipment, and remains serious until the difficulties are eventually overcome. This situation would be materially relieved if prior to type certification the aircraft were subjected to tests specifically designed to ascertain the reliability and proper functioning of the airplane, its components, and equipment. The requirements hereinafter set forth are intended to make mandatory the conducting of such tests.

It appearing to the Board that the subject of these regulations has been under consideration for several months; that proposed regulations essentially similar to those hereinafter set forth were circulated to the aircraft industry in August 1946; that in adopting these regulations the date of their effectiveness is being delayed sufficiently to give the public ample notice; that in view of the foregoing sufficient public procedure has been afforded in regard to the regulations, and that any further proceeding would serve only to delay the regulations which it is in the public interest to adopt at this time;

The Civil Aeronautics Board finds that the notice and public procedures provided for in paragraphs (a) and (b) of section 4 of the Administrative Procedure Act are unnecessary.

Now, therefore: Effective March 15, 1947, § 03.0421 (11 F R. 13369) of the Civil Air Regulations is amended to read as follows:

§ 03.0421 *Flight tests.* (Applicable to all airplanes certificated as a type on or after March 15, 1947.) After proof of compliance with the structural requirements contained in this part, and upon completion of all necessary inspection and testing on the ground, and proof of the conformity of the airplane with the type design, and upon receipt from the applicant of a report of flight tests conducted by him, there shall be conducted such official flight tests as the Administrator finds necessary to determine compliance with §§ 03.1 through 03.632. After the conclusion of these flight tests such additional flight tests shall be conducted as the Administrator finds necessary to ascertain whether there is reasonable assurance that the airplane, its components, and equipment are reliable and function properly. The extent of such additional flight tests shall depend upon the complexity of the airplane, the number and nature of new design features, and the record of previous tests and experience for the particular airplane model, its components, and equipment. If practicable, the flight tests performed for the purpose of ascertaining the reliability and proper functioning shall be conducted on the same airplane which was used in flight tests to show compliance with §§ 03.1 through 03.632.

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-1386; Filed, Feb. 12, 1947; 8:47 a. m.]

[Regs., Amdt. 04a-6]

PART 04a—AIRPLANE AIRWORTHINESS REGULATIONS EFFECTIVE PRIOR TO NOVEMBER 9, 1945

SERVICE TESTS FOR AIRCRAFT

At a session of the Civil Aeronautics Board held at its offices in Washington, D. C., on the 4th day of February 1947.

A study of accidents and maintenance problems of relatively new model aircraft indicates that in the initial stages of operating such new aircraft extensive maintenance difficulties are apt to occur. Such a situation is undoubtedly conducive to accidents caused by mechanical malfunctioning of the troublesome components or equipment, and remains serious until the difficulties are eventually overcome. This situation would be materially relieved if prior to type certifi-

cation the aircraft were subjected to tests specifically designed to ascertain the reliability and proper functioning of the airplane, its components, and equipment. The requirements hereinafter set forth are intended to make mandatory the conducting of such tests.

It appearing to the Board that the subject of these regulations has been under consideration for several months; that proposed regulations essentially similar to those hereinafter set forth were circulated to the aircraft industry in August 1946; that in adopting these regulations the date of their effectiveness is being delayed sufficiently to give the public ample notice; that in view of the foregoing sufficient public procedure has been afforded in regard to the regulations, and that any further proceeding would serve only to delay the regulations which it is in the public interest to adopt at this time;

The Civil Aeronautics Board finds that the notice and public procedures provided for in paragraphs (a) and (b) of section 4 of the Administrative Procedure Act are unnecessary.

Now, therefore: Effective March 15, 1947, Part 04a of the Civil Air Regulations is amended as follows:

1. By deleting the second sentence of § 04a.04.

2. By adding § 04a.040 to read as follows:

§ 04a.040 *Flight tests.* (Applicable to all airplanes certificated as a type on or after March 15, 1947.) After proof of compliance with the structural requirements contained in this part, and upon completion of all necessary inspection and testing on the ground, and proof of the conformity of the airplane with the type design, and upon receipt from the applicant of a report of flight tests conducted by him, there shall be conducted such official flight tests as the Administrator finds necessary to determine compliance with §§ 04a.2 through 04a.91. After the conclusion of these flight tests such additional flight tests shall be conducted as the Administrator finds necessary to ascertain whether there is reasonable assurance that the airplane, its components, and equipment are reliable and function properly. The extent of such additional flight tests shall depend upon the complexity of the airplane, the number and nature of new design features, and the record of previous tests and experience for the particular airplane model, its components, and equipment. If practicable, the flight tests performed for the purpose of ascertaining the reliability and proper functioning shall be conducted on the same airplane which was used in flight tests to show compliance with §§ 04a.2 through 04a.91.

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 47-1389; Filed, Feb. 12, 1947; 8:47 a. m.]

[Regs., Amdt. 04b-3]

PART 04b—AIRPLANE AIRWORTHINESS REGULATIONS EFFECTIVE ON NOVEMBER 9, 1945

TRANSPORT CATEGORIES; SERVICE TESTS FOR AIRCRAFT

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 4th day of February 1947.

A study of accidents and maintenance problems of relatively new model aircraft indicates that in the initial stages of operating such new aircraft extensive maintenance difficulties are apt to occur. Such a situation is undoubtedly conducive to accidents caused by mechanical malfunctioning of the troublesome components or equipment, and remains serious until the difficulties are eventually overcome. This situation would be materially relieved if prior to type certification the aircraft were subjected to tests specifically designed to ascertain the reliability and proper functioning of the airplane, its components, and equipment. The requirements hereinafter set forth are intended to make mandatory the conducting of such tests.

It appearing to the Board that the subject of these regulations has been under consideration for several months; that proposed regulations essentially similar to those hereinafter set forth were circulated to the aircraft industry in August 1946; that in adopting these regulations the date of their effectiveness is being delayed sufficiently to give the public ample notice; that in view of the foregoing sufficient public procedure has been afforded in regard to the regulations, and that any further proceeding would serve only to delay the regulations which it is in the public interest to adopt at this time;

The Civil Aeronautics Board finds that the notice and public procedures provided for in paragraphs (a) and (b) of section 4 of the Administrative Procedure Act are unnecessary.

Now, therefore: Effective March 15, 1947, § 04b.0321 of the Civil Air Regulations is amended to read as follows:

§ 04b.0321 *Flight tests.* (Applicable to all airplanes certificated as a type on or after March 15, 1947.) After proof of compliance with the structural requirements contained in this part, and upon completion of all necessary inspection and testing on the ground, and proof of the conformity of the airplane with the type design, and upon receipt from the applicant of a report of flight tests conducted by him, there shall be conducted such official flight tests as the Administrator finds necessary to determine compliance with §§ 04b.1 through 04b.622. After the conclusion of these flight tests such additional flight tests shall be conducted as the Administrator finds necessary to ascertain whether there is reasonable assurance that the airplane, its components, and equipment are reliable and function properly. The extent of such additional flight tests shall depend upon the complexity of the airplane, the number and nature of new design features, and the record of previous tests and experience for the particular airplane model, its components, and equipment. If practicable, the flight tests performed for the purpose of ascertaining the reliability and proper functioning shall be conducted on the same airplane which was used in flight tests to show compliance with §§ 04b.1 through 04b.622.

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 47-1387; Filed, Feb. 12, 1947; 8:47 a. m.]

[Regs., Amdt. 22-2]

PART 22—LIGHTER-THAN-AIR PILOT CERTIFICATES

DURATION OF CERTIFICATES AND RECENT EXPERIENCE REQUIREMENTS OF LIGHTER-THAN-AIR AIRCRAFT

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 4th day of February 1947.

It appearing that the current Civil Air Regulations require periodic endorsement for the continued effectiveness of lighter-than-air pilot certificates; such periodic endorsement requirement for all other airman certificates was rescinded as of January 1, 1942; presently expired lighter-than-air pilot certificates may be rendered valid; benefits will be provided for pilots of lighter-than-air aircraft which have been extended to other pilots; this regulation will provide uniformity with regulations governing other types of pilot certificates.

The Civil Aeronautics Board finds that the notice and procedures provided for in paragraphs (a) and (b) of section 4 of the Administrative Procedure Act are unnecessary and that there is good cause to make these regulations effective immediately.

Now, therefore: Effective February 4, 1947, Part 22 of the Civil Air Regulations is amended as follows:

1. By amending § 22.21 *Duration,* to read as follows:

§ 22.21 *Duration.* (a) A student lighter-than-air pilot certificate shall expire 24 calendar months after the month of issuance.

(b) A private or commercial lighter-than-air pilot certificate or free balloon pilot certificate shall remain in effect unless it is suspended, or revoked, or a general termination date for such certificate is fixed by the Board.

(c) The Administrator or his authorized representative may issue a temporary lighter-than-air pilot certificate for a period of not to exceed 90 days subject to the terms and conditions specified therein by the Administrator.

2. By amending § 22.22 *Periodic endorsement requirements,* to read as follows:

§ 22.22 *Recent experience requirements.*

§ 22.220 *General.* (a) A student who has not piloted an airship within 90 days

shall not pilot such aircraft in solo flight until he has passed a flight check given by a commercial lighter-than-air pilot and that fact has been endorsed by such pilot in the student pilot logbook.

(b) The holder of a private or commercial lighter-than-air pilot certificate shall not pilot an airship carrying passengers, unless within the preceding 90 days he has had at least 5 take-offs and landings.

§ 22.221 *Night flight.* No person shall pilot a lighter-than-air aircraft carrying passengers during the period from one hour after sunset to one hour before sunrise, unless he has made at least 5 take-offs and landings to a full stop during the hours of darkness within the preceding 90 days.

§ 22.222 *Instrument flight.* A pilot shall not pilot an airship under instrument flight rules, unless he has had at least 6 hours of instrument flight under actual or simulated instrument conditions during the preceding 6 calendar months. At least 50 percent of the above required time must have been accomplished in actual flight.

3. By amending § 22.23 *Special issuance of expired certificates,* to read as follows:

§ 22.23 *Reinstatement.* A private or commercial lighter-than-air pilot certificate or a free balloon pilot certificate which was effective on or after January 1, 1942, and has expired, may be reinstated upon application to an authorized representative of the Administrator prior to February 1, 1948.

4. By amending § 22.314 *Periodic physical examination,* to read as follows:

§ 22.314 *Medical certificate and renewal.* Any person while piloting a lighter-than-air aircraft shall have on his person a medical certificate or other evidence satisfactory to the Administrator showing that he has met the physical requirements within the following time limits:

(a) Student pilot, private pilot, or free balloon pilot—24 calendar months,

(b) Commercial pilot—12 calendar months.

(52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 47-1388; Filed, Feb. 12, 1947; 8:47 a. m.]

[Regs., Amdt. 35-1]

PART 35—FLIGHT ENGINEER CERTIFICATES

TEMPORARY FLIGHT ENGINEER CERTIFICATES

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 4th day of February 1947.

It appearing that the issuance of a temporary certificate would authorize the holder to exercise the privileges of a flight engineer during the interval between successful completion of the prescribed tests and receipt of the permanent certificate, and there is urgent need for flight engineer certificates to be immediately available;

The Civil Aeronautics Board finds that the amendment is not a restrictive change in the Civil Air Regulations; that the public interest would best be served if it became effective on the same date as Part 35; and that compliance with paragraphs (a) and (b) of section 4 of the Administrative Procedure Act is unnecessary.

Now, therefore: Effective March 15, 1947, Part 35 of the Civil Air Regulations is amended by adding a new section to read as follows:

§ 35.110 - *Temporary certificates.* The Administrator or his authorized representative may issue a temporary flight engineer certificate for a period of not to exceed 90 days, subject to the terms and conditions specified therein by the Administrator. (52 Stat. 984, 1007; 49 U. S. C. 425, 551)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 47-1390; Filed, Feb. 12, 1947; 8:47 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter I—Commodity Exchange Authority (Including Commodity Exchange Commission), Department of Agriculture

PART 0—RULES OF PRACTICE

SUBPART A—RULES APPLICABLE TO PROCEEDINGS BEFORE THE SECRETARY OF AGRICULTURE

By virtue of the authority vested in the Secretary of Agriculture by the Commodity Exchange Act, as amended (42 Stat. 998, 49 Stat. 1491, 52 Stat. 205, 54 Stat. 1059; 7 U. S. C. 1-17a) and the Administrative Procedure Act (60 Stat. 237), the rules of practice appearing in Title 17, Chapter I, Part O, Subpart A, Cumulative and 1945 Supplements to the Code of Federal Regulations, are hereby amended as follows:

1. By striking § 0.2 (c) and substituting in lieu thereof the following:

§ 0.2 *Definitions.* * * *

(c) The term "Secretary" means the Secretary of Agriculture or any person to whom authority has heretofore lawfully been delegated, or to whom authority may hereafter lawfully be delegated, to act in his stead;

2. By striking § 0.2 (d) and substituting in lieu thereof the following:

(d) The term "Commodity Exchange Authority" means the Commodity Exchange Authority, United States Department of Agriculture;

3. By striking § 0.2 (l) and substituting in lieu thereof the following:

(l) The term "hearing clerk" means the hearing clerk, United States Department of Agriculture, Washington 25, D. C.

4. By striking § 0.2 (m) and substituting in lieu thereof the following:

(m) The term "referee" means an examiner conducting a proceeding under the act;

5. By striking § 0.2 (n) and substituting in lieu thereof the following:

(n) The term "referee's report" (presiding officer's report) means the referee's report to the Secretary, and includes the referee's proposed (1) findings of fact and conclusions with respect to all material issues of fact, law or discretion, as well as the reasons or basis therefor, (2) order, and (3) rulings on findings, conclusions and orders submitted by the parties;

6. By striking § 0.2 (o) and substituting in lieu thereof the following:

(o) The term "Act Administrator" means the Administrator of the Commodity Exchange Authority, United States Department of Agriculture, in his capacity as Administrator of the Commodity Exchange Act, or any officer or employee of the Commodity Exchange Authority to whom he has heretofore lawfully delegated or may hereafter lawfully delegate the authority to act in his stead;

7. By adding at the end of § 0.2 a new paragraph as follows:

(p) The term "examiner" means any examiner in the Office of Hearing Examiners, United States Department of Agriculture.

8. By striking the period at the end of the first sentence of § 0.3 (c) and inserting a colon in lieu thereof and adding the following proviso:

§ 0.3 *Institution of proceedings.* * * *

(c) *Who may institute.* * * * *Provided,* That in any case, except one of wilfulness or one in which the public health, interest or safety otherwise requires, prior to the institution of a proceeding for the suspension or revocation of a registration or license, facts or conditions which may warrant such action shall be called, in writing, to the attention of the person complained against, and such person shall be accorded opportunity to demonstrate or achieve compliance with all lawful requirements.

9. By amending § 0.7 (a) to read as follows:

§ 0.7 *Referees*—(a) Assignment. No referee shall be assigned to serve in any proceeding who (1) has any pecuniary interest in any matter or business involved in the proceeding, (2) is related within the third degree by blood or marriage to any party to the proceeding, or (3) has participated in the investigation preceding the institution of the proceeding or in the determination that it should be instituted or in the preparation of the complaint or in the development of the evidence to be introduced therein.

10. By amending § 0.7 (c) to read as follows:

(c) *Conduct.* The referee shall conduct the proceeding in a fair and impartial manner and, save to the extent required for the disposition of ex parte

matters as authorized by law, he shall not consult any person or party on any fact in issue unless upon notice and opportunity for all parties to participate.

11. By amending § 0.7 (e) to read as follows:

(e) *Who may act in the absence of the referee.* In case of the absence of the referee, or his inability to act, the powers and duties to be performed by him under these rules of practice in connection with a proceeding may, without abatement of the proceeding unless otherwise ordered by the Secretary, be assigned to any other referee.

12. By amending § 0.9 to read as follows:

§ 0.9 *The answer*—(a) *Filing and service.* Within 20 days after service of the complaint, the respondent shall file, in triplicate, with the hearing clerk, an answer, signed by the respondent or his attorney: *Provided,* That the Secretary may order that the hearing be held without answer or other pleading. The answer shall be served upon the complainant, and any other party of record, in the manner provided in § 0.22.

(b) *Contents; failure to file.* Such answer shall (1) contain a statement of the facts which constitute the grounds of defense, and shall specifically admit, deny, or explain each of the allegations of the complaint unless the respondent is without knowledge, in which case the answer shall so state; or (2) state that the respondent admits all of the allegations of the complaint. The answer may contain a waiver of hearing.

Failure to file an answer to or plead specifically to any allegation of the complaint shall constitute an admission of such allegation.

(c) *Procedure upon admission of facts.* The admission, in the answer or by failure to file an answer, of all the material allegations of fact contained in the complaint shall constitute a waiver of hearing. Upon such admission of facts, the referee, without further investigation or hearing, shall prepare his report, in which he shall adopt as his proposed findings of fact the material facts alleged in the complaint. Unless the parties have waived service of the referee's report, it shall be served upon them in the manner provided in § 0.22. The parties shall be given an opportunity to file exceptions to the report, to file briefs in support of such exceptions, and to make oral argument thereon before the Secretary. Any request to make oral argument before the Secretary must be filed in the manner and within the time provided in paragraph (d) of § 0.16.

13. By amending § 0.16 (b) to read as follows:

§ 0.16 *Referee's report.* * * *

(b) *Proposed findings of fact, conclusions, and orders.* Within 10 days after receipt of notice that the transcript has been filed, each party may file with the hearing clerk proposed findings of fact, conclusions, and orders, based solely upon the record, and a brief in support thereof.

14. By amending § 0.16 (c) to read as follows:

(c) *Referee's report.* The referee, within a reasonable time after the termination of the period allowed for the filing of proposed findings of fact, conclusions, and orders, and briefs in support thereof, shall prepare, upon the basis of the record, and shall file with the hearing clerk, his report, a copy of which shall be served upon each of the parties.

15. By amending the first sentence of § 0.20 (a) to read as follows:

§ 0.20 *Preparation and issuance of order*—(a) *Preparation of order* As soon as practicable after the receipt of the record from the hearing clerk, or, in case oral argument was had, as soon as practicable thereafter, the Secretary, upon the basis of and after due consideration of the record, shall prepare his order in the proceeding which shall include findings, conclusions, order, and rulings on motions, exceptions, statements of objections, and proposed findings, conclusions, and orders submitted by the parties, not theretofore ruled upon. * * *

16. By amending § 0.21 (a) (2) to read as follows:

§ 0.21 *Applications for reopening hearings; for rehearings on rearguments of proceedings; or for reconsideration of orders*—(a) *Petition requisite.* * * *

(2) *Petitions to reopen hearings.* A petition to reopen a hearing to take further evidence may be filed at any time prior to the issuance of the final order. Every such petition shall state briefly the nature and purpose of the evidence to be adduced, shall show that such evidence is not merely cumulative, and shall set forth a good reason why such evidence was not adduced at the hearing. Every such petition shall be served by the hearing clerk on the other parties to the proceeding.

17. By striking the period at the end of the last sentence of § 0.23 and inserting a colon in lieu thereof and adding the following proviso:

§ 0.23 *Requests for promulgation, amendment, or rescission of regulations.* * * * *Provided,* That notice shall be given of the denial in whole or in part of any such request and, except in affirming a prior denial or where the denial is self-explanatory, such notice shall be accompanied by a simple statement of procedural or other grounds for denial.

18. By adding at the end of § 0.26 (a) a sentence reading as follows:

§ 0.26 *Conduct of hearing*—(a) *Presiding officer.* * * * The presiding officer shall have authority to administer oaths or affirmations and to take all other actions necessary to the orderly conduct of the hearing.

19. By striking the word "suggested" wherever it appears in paragraph (i) of § 0.17 *Shortened procedure,* and § 0.18 *Transmittal of record* and substituting in lieu thereof the word "proposed."

20. By adding a new subheading and section as follows:

RULES APPLICABLE TO ALL PROCEEDINGS

§ 0.28 *Hearings before the Secretary.* The Secretary may act in the place and stead of a referee or presiding officer in any proceeding hereunder. When he so acts, the hearing clerk shall transmit the record to the Secretary at the expiration of the period provided for the filing of proposed findings of fact, conclusions and orders, and the Secretary shall thereupon, after due consideration of the record, issue his final order in the proceeding: *Provided,* That he may issue a tentative order, in which event the parties shall be afforded an opportunity to file exceptions before the issuance of the final order.

NOTE: Unless otherwise ordered, all proceedings initiated under the Commodity Exchange Act and pending on December 11, 1946, shall be conducted and concluded in accordance with the applicable rules of practice in effect at the time the proceedings were instituted.

(42 Stat. 998, 49 Stat. 1491, 52 Stat. 205, 54 Stat. 1059, 60 Stat. 237; 7 U. S. C. 1–17a)

Done at Washington, D. C., this 7th day of February 1947. Witness my hand and the seal of the Department of Agriculture.

[SEAL] CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 47-1369; Filed, Feb. 12, 1947; 8:47 a. m.]

TITLE 24—HOUSING CREDIT

Chapter VI—Federal Public Housing Authority

PART 603—FINAL DELEGATIONS OF AUTHORITY

DELEGATIONS TO CENTRAL OFFICE OFFICIALS

Section 603.1 (11 F. R. 177A-900, 10651) is hereby amended, effective February 27, 1947, by adding paragraph (t) thereto as follows:

§ 603.1 *Delegations to central office officials.* * * *

(t) *Acting Commissioner.* Such person as the Commissioner shall, from time to time, designate to serve as Acting Commissioner, during periods when he is absent from duty, is authorized to exercise all the powers, duties and functions, while so acting, that are vested in the Commissioner.

(E. O. 9070, Feb. 24, 1942, 7 F. R. 1529)

Approved: February 6, 1947.

[SEAL] D. S. MYER,
Commissioner.

[F. R. Doc. 47-1372; Filed, Feb. 12, 1947; 8:50 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

Subchapter I—Irrigation Projects: Operation and Maintenance

PART 130—OPERATION AND MAINTENANCE CHARGES

UINTAH INDIAN IRRIGATION PROJECT, UTAH

FEBRUARY 6, 1947.

On December 27, 1946, there was published in the daily issue of the FEDERAL

REGISTER notice of intention to amend § 130.77 of this part (11 F. R. 14697) Interested persons were thereby given opportunity to participate in preparing the amendment by submitting data or arguments within 30 days from date of publication of the notice. No communications, written or oral, having been received within the provided period, the said section is hereby amended and promulgated as follows:

§ 130.77 *Basic water and other charges.* Pursuant to the provisions of the acts of June 21, 1906 (34 Stat. 375) and March 7, 1928 (45 Stat. 210, 25 U. S. C. 387) the reimbursable costs expended in the operation and maintenance of the Uintah Indian irrigation project, Utah, are apportioned on a per acre basis against the irrigable lands of all units of the project and for the calendar year 1947, and each succeeding year until further order, there shall be collected from each acre of irrigable land to which water can be delivered from the constructed works, a uniform basic charge of $1.35 per acre per annum, where not otherwise established by contract.

In addition to the foregoing charge, there shall be collected annually a charge of $3.00 on the lands covered by each separate bill. No bill shall be rendered for less than $4.00. (34 Stat. 375, 45 Stat. 210; 25 U.S.C. 387)

WILLIAM ZIMMERMAN, Jr.,
Assistant Commissioner.

[F. R. Doc. 47-1375; Filed, Feb. 12, 1947; 8:50 a. m.]

TITLE 36—PARKS AND FORESTS

Chapter II—Forest Service, Department of Agriculture

PART 201—NATIONAL FORESTS

UMATILLA, WHITMAN, AND WALLOWA NATIONAL FORESTS, OREGON

CROSS REFERENCE: For orders affecting the tabulation contained in § 201.1, see Public Land Orders 346 and 347 under Title 43, *infra*, transferring certain lands from the Umatilla National Forest to the Whitman and Wallowa National Forests, and from the Whitman National Forest to the Umatilla National Forest, Oregon.

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 343]

ARIZONA

REVOKING EXECUTIVE ORDER 7678 OF JULY 27, 1937, ESTABLISHING APACHE MIGRATORY WATERFOWL REFUGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Executive Order No. 7678, of July 27, 1937, reserving the following-described lands in Arizona as the Apache Migratory Waterfowl Refuge, the designation of which was changed to the Apache National Wildlife Refuge by Proclamation No. 2416 of July 25, 1940, is hereby revoked:

GILA AND SALT RIVER MERIDIAN

T. 6 N., R. 27 E.,
Sec. 13, E½NE¼ and NE¼SE¼.
T. 6 N., R. 28 E.,
Sec. 17, W½NW¼ and SW¼,
Sec. 18, lots 1, 2, 3, NE¼, E½W½, and SE¼,
Sec. 19, E½E½,
Sec. 20, W½,
Sec. 29, W½NE¼, W½, and W½SE¼,
Sec. 30, NE¼NE¼, S½NE¼, and SE¼,
Sec. 31, NE¼,
Sec. 32, N½.

The areas described aggregate approximately 2,680 acres.

This order shall not otherwise become effective to change the status of the lands, which are within the Apache National Forest, until 10:00 a. m. of the sixty-third day from the date on which it is signed, whereupon the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to such application, petition, location, or selection as may be authorized by the public-land laws in accordance with the provisions of 43 CFR 295.8 (Cir. 324, May 22, 1914, 43 L. D. 254), to the extent that these regulations are applicable.

WARNER W GARDNER,
Assistant Secretary of the Interior

JANUARY 29, 1947.

[F. R. Doc. 47-1347; Filed, Feb. 12, 1947; 8:48 a. m.]

[Public Land Order 170]

VIRGIN ISLANDS

RESERVING LAND FOR USE OF WAR DEPARTMENT

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Jurisdiction over the following-described land owned by the United States on the Island of Saint Croix, Virgin Islands, is hereby transferred from the Department of the Interior to the War Department and the land is reserved for military purposes:

Beginning at a point designated as Corner 1, being the Southeast corner of the Federal Reservation entitled "Benedict Field" and situated on the Caribbean Shore Line, from which United States Coast and Geodetic Survey Station Manning (latitude 17°42' 30.266" N., longitude 64°47'37.874" W.) bears approximately North 26° West 4,040 feet distant;

Thence by magnetic bearings,
N. 16°48' W., 1,372.0 feet to Corner 2;
N. 81°57' E., 553.2 feet to Corner 3;
N. 15°02' W., 2,442.1 feet to Corner 6;
N. 23°09' W., 341.0 feet to Corner 7;
N. 39°44' W., 234.0 feet to Corner 8;
N. 52°41' W., 865.8 feet to Corner 9;
N. 31°17'40" E., 3,457.59 feet to Corner 1-E;
N. 72°05' E., 505.58 feet to Corner 2-E;
S. 17°24'40" E., 7,809.16 feet to Corner 11-E, situated on the shore line of the Caribbean Sea;

Thence along the shore line of the Caribbean Sea in a westerly direction, along the southerly border of the parcel to Corner 1, the point of beginning.

The tract as shown on Map A4-2.45 of Benedict Field Addition, Tract No. 3, on file in the Office of the District Engineer, Corps of Engineers, United States Army, contains 427.084 acres.

This order is subject to the condition that The Virgin Islands Company may continue to use the cattle pens, dipping vats, and other facilities located on the above-described land, provided the Commanding Office of Benedict Field is notified in advance of such use in order that proper guard may be posted.

The jurisdiction granted by this order shall cease at the expiration of the six months' period following the termination of the unlimited national emergency declared by Proclamation No. 2487 of May 27, 1941 (55 Stat. 1647) Thereupon, the jurisdiction over the land shall be vested in the Department of the Interior.

This order is confidential and shall not be filed in the Division of the Federal Register, or be published in the FEDERAL REGISTER, or be given other publicity, until publication thereof has been expressly authorized by or at the direction of the Secretary of War.[1]

ABE FORTAS,
Acting Secretary of the Interior

SEPTEMBER 24, 1943.

[F. R. Doc. 47-1352; Filed, Feb. 12, 1947; 8:48 a. m.]

[Public Land Order 344]

NEW MEXICO

REVOKING PUBLIC LAND ORDER 108 OF MARCH 31, 1943, WITHDRAWING PUBLIC LANDS FOR USE OF WAR DEPARTMENT AS A BOMBING RANGE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 108 of March 31, 1943, withdrawing the public lands in the hereinafter-described areas for the use of the War Department as a bombing range, is hereby revoked.

The jurisdiction over and use of such lands granted to the War Department by Public Land Order No. 108 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on April 2, 1947.

At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become

[1] Confidential status released by letter dated January 13, 1947 of the War Department.

subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 2, 1947, to July 2, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279–283) subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from March 13, 1947, to April 2, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 2, 1947, shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 2, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous nonpreference right filings.* Applications by the general public may be presented during the 20-day period from June 12, 1947, to July 2, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 2, 1947, shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Santa Fe, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254) and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that Title.

Inquiries concerning these lands shall be addressed to the District Land Office, Santa Fe, New Mexico.

The lands affected by this order are described as follows:

The public lands in the following-described areas:

NEW MEXICO PRINCIPAL MERIDIAN

T. 7 N., R. 11 W.,
Secs. 14, 15, 16, 21, 22, 23, 26, 27, and 28.

The areas described, including both public and non-public lands, aggregate 5,760 acres.

The public lands are hilly to mountainous desert lands.

WARNER W. GARDNER,
Assistant Secretary of the Interior

JANUARY 29, 1947.

[F. R. Doc. 47-1348; Filed, Feb. 12, 1947; 8:48 a. m.]

[Public Land Order 345]

NEW MEXICO

REVOKING PUBLIC LAND ORDER NO. 124 OF MAY 19, 1943 WITHDRAWING PUBLIC LANDS FOR USE OF WAR DEPARTMENT AS RADIO RANGE SITE

By virtue of the authority vested in the President and pursuant to Executive Order No. 9337 of April 24, 1943, it is ordered as follows:

Public Land Order No. 124 of May 19, 1943, withdrawing the hereinafter-described lands for the use of the War Department as a radio range site, is hereby revoked.

The jurisdiction over and use of such lands granted to the War Department by Public Land Order No. 124 shall cease upon the date of the signing of this order. Thereupon, the jurisdiction over and administration of such lands shall be vested in the Department of the Interior and any other Department or agency of the Federal Government according to their respective interests then of record.

This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on April 2, 1947. At that time the lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(a) *Ninety-day period for preference-right filings.* For a period of 90 days from April 2, 1947, to July 2, 1947, inclusive, the public lands affected by this order shall be subject to (1) application under the homestead or the desert land laws, or the small tract act of June 1, 1938 (52 Stat. 609, 43 U. S. C. 682a) as amended, by qualified veterans of World War II, for whose service recognition is granted by the act of September 27, 1944 (58 Stat. 747, 43 U. S. C. 279–283), subject to the requirements of applicable law, and (2) application under any applicable public-land law, based on prior existing valid settlement rights and preference rights conferred by existing laws or equitable claims subject to allowance and confirmation. Applications by such veterans shall be subject to claims of the classes described in subdivision (2).

(b) *Twenty-day advance period for simultaneous preference-right filings.* For a period of 20 days from March 13, 1947 to April 2, 1947, inclusive, such veterans and persons claiming preference rights superior to those of such veterans, may present their applications, and all such applications, together with those presented at 10:00 a. m. on April 2, 1947 shall be treated as simultaneously filed.

(c) *Date for non-preference right filings authorized by the public-land laws.* Commencing at 10:00 a. m. on July 2, 1947, any of the lands remaining unappropriated shall become subject to such application, petition, location, or selection by the public generally as may be authorized by the public-land laws.

(d) *Twenty-day advance period for simultaneous non-preference right filings.* Applications by the general public may be presented during the 20-day period from June 12, 1947, to July 2, 1947, inclusive, and all such applications, together with those presented at 10:00 a. m. on July 2, 1947 shall be treated as simultaneously filed.

Veterans shall accompany their applications with certified copies of their certificates of discharge, or other satisfactory evidence of their military or naval service. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their applications by duly corroborated affidavits in support thereof, setting forth in detail all facts relevant to their claims.

Applications for these lands, which shall be filed in the District Land Office, Las Cruces, New Mexico, shall be acted upon in accordance with the regulations contained in § 295.8 of Title 43 of the Code of Federal Regulations (Circular No. 324, May 22, 1914, 43 L. D. 254), and Part 296 of that Title, to the extent that such regulations are applicable. Applications under the homestead laws shall be governed by the regulations contained in Parts 166 to 170, inclusive, of Title 43 of the Code of Federal Regulations and applications under the desert land laws and the small tract act of June 1, 1938, shall be governed by the regulations contained in Parts 232 and 257, respectively, of that Title.

Inquiries concerning these lands shall be addressed to the District Land Office, Las Cruces, New Mexico.

The lands affected by this order are described as follows:

NEW MEXICO PRINCIPAL MERIDIAN

T. 17 S., R. 8 E.,
Sec. 31, S½SE¼NE¼ and N½NE¼SE¼.

The area described aggregates 40 acres.

The lands are in Otero County, in an area of sand flats and dunes. It is nearly level in character, and the elevation is approximately 4,000 feet above sea level.

WARNER W. GARDNER,
Assistant Secretary of the Interior.

JANUARY 29, 1947.

[F. R. Doc. 47-1349; Filed, Feb. 12, 1947; 8:48 a. m.]

[Public Land Order 347]

OREGON

TRANSFER OF LANDS FROM WHITMAN NATIONAL FOREST TO UMATILLA NATIONAL FOREST

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (16 U. S. C. 473) and pursuant to Executive Order No. 9337 of April 24, 1943, and upon the recommendation of the Assistant Secretary of Agriculture, it is ordered as follows:

The following described lands within the exterior boundaries of the Whitman National Forest are hereby transferred to the Umatilla National Forest, effective July 1, 1946:

WILLAMETTE MERIDIAN

T. 7 S., Rs. 31 to 35 E., inclusive.
T. 8 S., R. 31 E.,
Secs. 1 and 2;
Secs. 11 to 14, inclusive;
Sec. 23, E½,
Sec. 24;
Sec. 25, N½.
T. 6 S., R. 32 E., those parts of secs. 27 to 29, inclusive, and secs. 31 to 36, inclusive, south of the North Fork of the John Day River.
T. 8 S., Rs. 32 to 35 E., inclusive.
T. 9 S., R. 32 E.,
Secs. 1, 2, and 3.
T. 9 S., R. 33 E.,
Secs. 1 to 6, inclusive;
Secs. 8 to 13, inclusive.
T. 9 S., R. 34 E.
T. 10 S., R. 34 E.,
Secs. 1 to 4, inclusive.
T. 9 S., R. 35 E.,
Secs. 2 to 11, inclusive;
Secs. 14 to 23, inclusive;
Secs. 28 to 33, inclusive.
T. 10 S., R. 35 E.,
Secs. 4 to 9, inclusive.
T. 7 S., R. 35½ E.,
Secs. 33 and 34.
T. 8 S., R. 35½ E.,
Secs. 3, 4, 9, 10, 15, 16, 21, 22, 28, and 33.

It is not intended by this order to give a national-forest status to any publicly owned lands which have not hitherto had such a status, or to change the status of any publicly owned lands which have hitherto had national-forest status.

WARNER W. GARDNER,
Assistant Secretary of the Interior

JANUARY 31, 1947.

[F. R. Doc. 47-1351; Filed, Feb. 12, 1947; 8:48 a. m.]

[Public Land Order 346]

OREGON

TRANSFER OF LANDS FROM UMATILLA NATIONAL FOREST TO WHITMAN AND WALLOWA NATIONAL FORESTS

By virtue of the authority vested in the President by the act of June 4, 1897, 30 Stat. 11, 36 (16 U. S. C. 473) and pursuant to Executive Order No. 9337 of April 24, 1943, and upon the recommendation of the Assistant Secretary of Agriculture, the following transfers are ordered, effective July 1, 1946.

The following described lands within the exterior boundaries of the Umatilla National Forest are hereby transferred to the Whitman National Forest:

WILLAMETTE MERIDIAN

T. 3 S., R. 33 E.,
Secs. 13, 14, and 15;
Secs. 21 to 28, inclusive;
Secs. 33 to 36, inclusive.
T. 4 S., R. 33 E.,
Secs. 1, 2, 11, and 12.
T. 3 S., R. 33½ E.,
Secs. 11 to 14, inclusive;
Secs. 23 to 26, inclusive;
Secs. 35 and 36.
T. 4 S., R. 33½ E.,
Secs. 1, 2, 3, 10, 11, 12, 13, 14, and 15.
T. 2 S., R. 34 E.,
Secs. 31 to 35, inclusive.
T. 3 S., R. 34 E., all.
T. 4 S., R. 34 E.,
Secs. 1 to 29, inclusive;
Secs. 32 to 36, inclusive.
T. 5 S., R. 34 E.,
Secs. 1 to 5, inclusive;
Secs. 8 to 29, inclusive;
Secs. 33 to 36, inclusive.
T. 2 S., R. 35 E.,
Secs. 11 and 14;
Secs. 21 to 28, inclusive;
Secs. 31 to 35, inclusive.
T. 3 S., R. 35 E., all.
T. 4 S., R. 35 E., all.
T. 5 S., R. 35 E., all.
T. 6 S., R. 35 E.,
Secs. 2 to 17, inclusive;
Secs. 20 to 28, inclusive;
Secs. 33 to 36, inclusive.
T. 2 S., R. 36 E., all.
T. 3 S., R. 36 E., all.
T. 1 S., R. 37 E.,
Secs. 11 to 15, inclusive;
Secs. 21 to 28, inclusive;
Secs. 32 to 36, inclusive.
T. 2 S., R. 37 E., all.
T. 1 S., R. 38 E.,
Secs. 7 and 8;
Secs. 17 to 20, inclusive;
Secs. 29 to 32, inclusive.
T. 2 S., R. 38 E.,
Secs. 5 and 6.

The following described lands within the exterior boundaries of the Umatilla National Forest are hereby transferred to the Wallowa National Forest:

WILLAMETTE MERIDIAN

T. 3 N., R. 40 E., that part of sec. 1 east of Grande Ronde River.
T. 4 N., R. 40 E., those parts of secs. 12, 13, 24, 25, and 36 south and east of Grande Ronde River.
T. 4 N., R. 41 E., secs. 1, 2, 3, 4, and 8, all; those parts of secs. 5, 6, and 7 south and east of Grande Ronde River.
T. 5 N., R. 41 E.,
Sec. 26, lot 2;
Sec. 27, lots 4 and 5;
Sec. 32, lot 5;
Sec. 33, lots 4, 5, 7, 9, 10, 11, and 12, NE¼SE¼,
Sec. 34, lots 1 and 3, S½NW¼, NE¼, S½,
Sec. 35, lots 3, 4, and 5, SE¼NW¼, W½ NW¼, S½,
Sec. 36, lots 3, 4, 7, and 9, SW¼SW¼.

It is not intended by this order to give a national-forest status to any publicly-owned lands which have not hitherto had such a status, or to change the status of any publicly-owned lands which have hitherto had national-forest status.

WARNER W GARDNER,
Assistant Secretary of the Interior

JANUARY 31, 1947.

[F. R. Doc. 47-1350; Filed, Feb. 12, 1947; 8:48 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter II—Office of Defense Transportation

[General Order ODT 18A, Rev., Amdt. 5]

PART 500—CONSERVATION OF RAIL EQUIPMENT

CARLOAD FREIGHT TRAFFIC

Pursuant to Title III of the Second War Powers Act, 1942, as amended, Executive Order 8989, as amended, and Executive Order 9729, General Order ODT 18A, Revised, as amended (11 F R. 8229, 8829, 10616, 13320, 14172), is hereby further amended by adding a paragraph (g) to § 500.75 as follows:

§ 500.75 *Exemptions.* * * *

(g) Carload freight consisting of a complete order when such carload freight moves first by water on the high seas to a port in the United States and is transshipped therefrom by rail in a single car.

This Amendment 5 to General Order ODT 18A, Revised, shall become effective on February 12, 1947.

(54 Stat. 676, 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, 59 Stat. 658, Pub. Law 475, 79th Cong., 60 Stat. 345; 50 U. S. C. App. Sup. 633, 645, 1152; E. O. 8989, Dec. 18, 1941, 6 F R. 6725, E. O. 9389, Oct. 18, 1943, 8 F R. 14183, E. O. 9729, May 23, 1946, 11 F R. 5641)

Issued at Washington, D. C., this 10th day of February 1947.

J. M. JOHNSON,
Director,
Office of Defense Transportation.

[F. R. Doc. 47-1376; Filed, Feb. 12, 1947; 8:50 a. m.]

TITLE 50—WILDLIFE

Chapter I—Fish and Wildlife Service, Department of the Interior

PART 11—ESTABLISHMENT, ETC., OF NATIONAL WILDLIFE REFUGES

APACHE MIGRATORY WATERFOWL REFUGE, ARIZONA

CROSS REFERENCE: For order affecting the tabulation contained in § 11.1, see Public Land Order 343 under Title 43, *infra*, revoking Executive Order 7678, which reserved certain lands for the Apache Migratory Waterfowl Refuge, Arizona, later redesignated as the Apache National Wildlife Refuge by Proclamation 2416.

NOTICES

DEPARTMENT OF JUSTICE

Office of Alien Property

[Vesting Order 8114]

JULIUS SCHMEISZ

In re: Estate of Julius Schmeisz, deceased. File No. D-66-95; E. T. sec. 1805.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

That the property described as follows: All right, title, interest and claim of any kind or character whatsoever of Bela V. Schmeisz and Katalin Gorodi, and each of them, in and to the Estate of Julius Schmeisz, deceased,

is property payable or deliverable to, or claimed by, nationals of a designated enemy country, Hungary, namely,

Nationals and Last Known Address

Bela V. Schmeisz, Hungary.
Katalin Gorodi, Hungary.

That such property is in the process of administration by the Treasurer of the City of New York as Depositary, acting under the judicial supervision of the Surrogate's Court, County of New York, State of New York;

And determined that to the extent that such nationals are persons not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Hungary)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50, Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F R. 11981)

Executed at Washington, D. C., on January 28, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-1383; Filed, Feb. 12, 1947; 8:51 a. m.]

[Vesting Order 8029]

METAKAY REALTY CORP.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That all of the issued and outstanding capital stock of Metakay Realty Corporation, a corporation organized under the laws of the State of New York and a business enterprise within the United States, consisting of 40 shares of $100 par value common stock, evidenced by Certificate No. 1 and registered in the name of William F. Wund, is owned by Martha Buhring, formerly Martha Brunjes, and is evidence of ownership and control of Metakay Realty Corporation;

2. That Martha Buhring, formerly Martha Brunjes, whose last known address is Osterholz, Scharmbeck, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

and it is hereby determined:

3. That Metakay Realty Corporation is controlled by the person named in subparagraph 2 hereof, or is acting for or on behalf of a designated enemy country (Germany) or persons within such country and is a national of a designated enemy country (Germany),

4. That to the extent that Metakay Realty Corporation and the person named in subparagraph 2 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the 40 shares of $100 par value common stock of Metakay Realty Corporation, more fully described in the subparagraph 1 hereof, together with all declared and unpaid dividends thereon, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States, and

The direction, management, supervision and control of said business enterprise and all property of any nature whatsoever situated in the United States, owned or controlled by, payable or deliverable to, or held on behalf of or on account of, or owing to, said business enterprise is hereby undertaken, to the extent deemed necessary or advisable from time to time. This order shall not be deemed to limit the power to vary the extent of or terminate such direction, management, supervision or control.

The terms "national" "designated enemy country" and "business enterprise within the United States" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50, Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 21, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director.

[F. R. Doc. 47-1377; Filed, Feb. 12, 1947; 8:50 a. m.]

[Vesting Order 8100]

HENRY MEYER

In re: Estate of Henry Meyer, deceased. File D-28-1609; E. T. sec. 359.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Johannes Meyer, Minna Meyer Kondke, Anna Meyer Kloot (Klooth) Margarettha (Margaretha) Meyer Bremer, Maria Meyer and Peter Meyer, whose last known address is Germany, are residents of Germany and nationals of a designated enemy country (Germany),

2. That the sum of $8,549.76 in the possession and custody of the County Treasurer of Wabasha County, Minnesota, Depositary, which was deposited to the credit of the persons named in subparagraph 1 hereof on May 4, 1946 pursuant to the order of the Probate Court of Wabasha County, Minnesota entered on April 25, 1946 in the matter of the estate of Henry Meyer, deceased, subject to payment of any lawful fees and disbursements of the County Treasurer of Wabasha County, Minnesota, is property payable or deliverable to, or claimed by, the aforesaid nationals of a designated enemy country (Germany)

3. That such property is in the process of administration by County Treasurer of Wabasha County, Minnesota, as Depositary, acting under the judicial supervision of the Probate Court of Wabasha County, Minnesota;

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise

dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50, Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F R. 11981)

Executed at Washington, D. C., on January 27, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director*

[F R. Doc. 47-1382; Filed, Feb. 12, 1947; 8:51 a. m.]

[Vesting Order 8121]

PAUL KAPFF

In re: Stock owned by Paul Kapff. F-28-1024-A-3.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Paul Kapff, whose last known address is Lindenstrasse 12, Stuttgart, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Five (5) shares of $100.00 par value preferred capital stock of Missouri Pacific Railroad Company, Missouri Pacific Building, St. Louis 3, Missouri, a corporation organized under the laws of the State of Missouri, evidenced by certificate number 045603, registered in the name of Martin Gerok, and presently in the custody of The National City Bank of New York, 55 Wall Street, New York 15, New York, together with all declared and unpaid dividends thereon, and

b. One hundred and fifty (150) shares of no par value common capital stock of American Ice Company, 535 Fifth Avenue, New York, New York, a corporation organized under the laws of the State of New Jersey, evidenced by certificates numbered 18733 and 019587, for 100 shares and 50 shares respectively, registered in the name of Hurley & Co., and presently in the custody of The National City Bank of New York, 55 Wall Street, New York 15, New York, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50, Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 29, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director*

[F. R. Doc. 47-1378; Filed, Feb. 12, 1947; 8:50 a. m.]

[Vesting Order 8146]

JEAN PHILIPP UZELINO

In re: Stock and bank account owned by Jean Philipp Uzelino, also known as Jean Uzelino. F-28-23358-D-2, F-28-23358-E-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Jean Philipp Uzelino, also known as Jean Uzelino, whose last known address is Flonheim in Rheinhessen, Germany is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. Nineteen (19) shares of $50 par value capital stock of The Pennsylvania Railroad Company, Broad Street Station Building, Philadelphia, Pennsylvania, a corporation organized under the laws of the State of Pennsylvania, evidenced by certificates numbered N366874 for ten (10) shares and N366875 for nine (9) shares, and registered in the name of Jean Uzelino, together with all declared and unpaid dividends thereon,

b. Fifteen (15) shares of $50 par value capital stock of The Pennsylvania Railroad Company, Broad Street Station Building, Philadelphia, Pennsylvania, a corporation organized under the laws of the State of Pennsylvania, evidenced by certificates numbered N303968 for ten (10) shares and N312065 for five (5) shares, and registered in the name of Jean Philipp Uzelino, together with all declared and unpaid dividends thereon, and

c. That certain debt or other obligation owing to Jean Philipp Uzelino, also known as Jean Uzelino, by Bank of the Manhattan Company, 40 Wall Street, New York, New York, arising out of a special interest account, Account Number 2151, entitled Jean Philipp Uzelino, maintained at the branch office of the aforesaid bank located at 571 West 181st Street, New York, New York, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany),

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50, Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F R. 11981)

Executed at Washington, D. C., on January 31, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK, *Director*

[F R. Doc. 47-1380; Filed, Feb. 12, 1947; 8:51 a. m.]

[Vesting Order 8147]

DEUTSCHE ZENTRALGENOSSENSCHAFTSKASSE

In re: Bank account, stock and bonds owned by Deutsche Zentralgenossenschaftskasse, also known as Preussische Zentralgenossenschaftskasse. F-28-1030-E-3, F-28-4377-A-2, F-28-1030-A-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Deutsche Zentralgenossenschaftskasse, also known as Preussische Zentralgenossenschaftskasse, the last known address of which is Berlin, Germany, is a corporation, organized under the laws of Germany, and which has or,

since the effective date of Executive Order No. 8389, as amended, has had its principal place of business in Germany and is a national of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation owing to Deutsche Zentralgenossenschaftskasse, also known as Preussische Zentralgenossenschaftskasse, by The New York Trust Company, 100 Broadway, New York, New York, arising out of a checking account, entitled Preussische Zentralgenossenschaftskasse, and any and all rights to demand, enforce and collect the same,

b. One (1) St. Louis-San Francisco Railway Company Prior Lien 4% Gold Bond, Series A, of $250.00 face value, bearing the number Y 7777, presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, together with any and all rights thereunder and thereto,

c. Five (5) shares of $100.00 par value cumulative preferred capital stock of Missouri Pacific Railroad Company, Missouri Pacific Building, St. Louis, Missouri, a corporation organized under the laws of the State of Missouri, evidenced by certificate number 077816, registered in the name of Egger & Co, and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, together with all declared and unpaid dividends thereon,

d. Eleven (11) shares of $10.00 par value common capital stock of North American Company, 60 Broadway, New York 4, New York, a corporation organized under the laws of the State of New Jersey, evidenced by certificates numbered M 31380 and M 31379, for eight (8) and three (3) shares, respectively, registered in the name of Egger & Co., and presently in the custody of The Chase National Bank of the City of New York, 18 Pine Street, New York, New York, together with all declared and unpaid dividends thereon, and

e. Twelve (12) Deutsche Landesbankenzentrale Aktiengesellschaft First Mortgage Secured Gold Sinking Fund Bonds, Series A, each of $1,000.00 face value, bearing the numbers M 422A, M 423A, M 424A, M 667A, M 938 A, M 939A, M 1468A, M 3607A, M 3608A, M 3869A, M 3870A and M 4813A, which bonds are presently in the custody of The New York Trust Company, 100 Broadway, New York, New York, together with any and all rights thereunder and thereto,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50, Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on January 31, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK.
Director.

[F. R. Doc. 47-1381; Filed, Feb. 12, 1947; 8:51 a. m.]

[Vesting Order 8174]

ELSA VON MASSENBACH

In re: Stock owned by Elsa von Massenbach, also known as Baroness Elsa von Massenbach. F-28-1671-D-1, F-28-1671-D-2.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Elsa von Massenbach, also known as Baroness Elsa von Massenbach, whose last known address is Hohenzollernstrasse 7, Bad Reichenhall, Oberbayern, Germany, is a resident of Germany and a national of a designated enemy country (Germany),

2. That the property described as follows:

a. One hundred fifty (150) shares of $100 par value 7% cumulative preferred capital stock of United States Steel Corporation, 71 Broadway, New York, New York, a corporation organized under the laws of the State of New Jersey, evidenced by certificates numbered D193797 for one hundred (100) shares and C624153 for fifty (50) shares, and registered in the name of Elsa Von Massenbach, together with all declared and unpaid dividends thereon, and

b. Two hundred ten (210) shares of $100 par value preferred capital stock of The Atchison, Topeka and Santa Fe Railway Company, Topeka, Kansas, a corporation organized under the laws of the State of Kansas, evidenced by certificates numbered 99657 and 99658 for one hundred (100) shares each and X162525 for ten (10) shares, and registered in the name of Baroness Elsa von Massenbach, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50, Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981)

Executed at Washington, D. C., on February 4, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK.
Director.

[F. R. Doc. 47-1384; Filed, Feb. 12, 1947; 8:51 a. m.]

[Vesting Order 8141]

KATHERINE LANGMAACK

In re: Bank account and stock owned by Katherine Langmaack. F-28-12932-A-1, F-28-12932-D-1.

Under the authority of the Trading with the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Katherine Langmaack, whose last known address is Peter Str. 20, Elmshorn, Holstein, Germany, is a resident of Germany and a national of a designated enemy country (Germany)

2. That the property described as follows:

a. That certain debt or other obligation owing to Katherine Langmaack, by Wells Fargo Bank & Union Trust Co., 4 Montgomery Street, San Francisco, California, arising out of an agency account, Account Number 3159, entitled Miss Katherine Langmaack, and any and all rights to demand, enforce and collect the same, and

b. Forty-eight (48) shares of no par value common capital stock of Richfield Oil Corporation, 555 South Flower Street, Los Angeles 13, California, a corporation organized under the laws of the State of Delaware, evidenced by certificate number LAO18543, registered in the name of

Katherine Langmaack, together with all declared and unpaid dividends thereon,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany)

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany)

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein, shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

(40 Stat. 411, 55 Stat. 839, Pub. Law 322, 79th Cong., 60 Stat. 50, Pub. Law 671, 79th Cong., 60 Stat. 925; 50 U. S. C. and Supp. App. 1, 616; E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F R. 11981)

Executed at Washington, D. C., on January 31, 1947.

For the Attorney General.

[SEAL] DONALD C. COOK,
Director

[F R. Doc. 47-1379; Filed, Feb. 12, 1947; 8:50 a. m.]

DEPARTMENT OF THE INTERIOR

Geological Survey

[Water Power Designation 10]

ROGUE RIVER, OREGON

POWER SITE CANCELATION 90

Water Power Designation No. 10, approved April 27, 1917, as affects lands in Oregon hereinafter described is hereby canceled:

WILLAMETTE MERIDIAN

T. 36 S., R. 3 W.,
Sec. 1, lot 1 and SW¼SE¼.

The areas described aggregate approximately 41.46 acres.

(39 Stat. 218)

Dated: December 19, 1946.

THOMAS B. NOLAN,
Acting Director

Approved: January 17, 1947.

C. GERARD DAVIDSON,
Assistant Secretary.

[F. R. Doc. 47-1346; Filed, Feb. 12, 1947; 8:49 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[P. & S. Docket No. 1558]

MISSISSIPPI VALLEY STOCK YARDS

NOTICE OF PETITION FOR MODIFICATION

By order dated May 20, 1946 (5 A. D. 363) made pursuant to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.) rates and charges were prescribed for the respondent. By order dated September 25, 1946 (5 A. D. 683) certain modifications in the rates and charges of the respondent were made.

By a petition filed on February 6, 1947, the Mississippi Valley Stock Yards requested a modification of the Secretary's orders referred to above to permit it to file a supplement to its tariff increasing certain of its rates and charges for stockyard services as follows:

YARDAGE CHARGES

Yardage on all classes of original receipts and resales in Commission Division:

	Proposed increased rates (cents head)	Existing rates (cents per head)
Cattle	55	49
Calves	36	33
Hogs	20	18
Livestock consigned direct to packers:		
Cattle	27	25
Calves	18	17
Hogs	9	8

No request was made for any other increase or modification in the other rates and charges of the respondent.

The effect of the proposed modifications, set out above, if granted, would be to increase the revenues of the respondent, and, it appears that public notice should be given to all interested persons, of the request of the respondent so as to afford all interested persons, including patrons of the respondent, an opportunity to manifest their desire to be heard on the matter.

Therefore, notice is hereby given to the public and to all interested persons of the request of the respondent for the purpose of affording said respondent and all other interested persons, including patrons of the respondent, an opportunity to be heard upon the matters covered in the petition.

All interested persons who desire to be heard shall notify the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., within fifteen (15) days from the date of the publication of this order.

Copies hereof shall be served on the respondent.

Done at Washington, D. C., this 7th day of February 1947.

[SEAL] H. E. REED,
Director Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 47-1368; Filed, Feb. 12, 1947; 8:49 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-669]

MICHIGAN-WISCONSIN PIPE LINE CO

NOTICE OF OPINION 147

FEBRUARY 10, 1947.

Notice is hereby given that, on February 7, 1947, the Federal Power Commission issued its Opinion No. 147, adopted January 17, 1947, in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 47-1373; Filed, Feb. 12, 1947; 8:49 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 1051, et al.]

MID-CONTINENT AIRLINES, INC., ET AL., KANSAS CITY-MEMPHIS-FLORIDA CASE

NOTICE OF POSTPONEMENT OF ORAL ARGUMENT

In the matter of applications of Mid-Continent Airlines, Inc., et al., for certificates and amendment of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 401 and 1001 of said act, that oral argument in the above-entitled proceeding, now assigned to be heard on February 18, 1947, is hereby postponed to be heard on February 24, 1947, 10:00 a. m., (eastern standard time) in Room 5042 Commerce Building, 14th Street and Constitution Ave., N. W., Washington, D. C., before the Board.

Dated at Washington, D. C., February 7, 1947.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 47-1353; Filed, Feb. 12, 1947; 8:49 a. m.]

[Docket No. 2398]

EASTERN AIR LINES, INC.

NOTICE OF HEARING

In the matter of the application of Eastern Air Lines, Inc., for amendments of certificates of public convenience and necessity under section 401 of the Civil Aeronautics Act of 1938, as amended, to redesignate certain intermediate points on routes Nos. 5 and 6.

Notice is hereby given that hearing in the above-entitled matter in which Eastern requests the redesignation of the intermediate point Greensboro, N. C., as Greensboro-High Point, the intermediate point Beaumont, Texas, as Beaumont-Port Arthur, on route No. 5, and the intermediate point Raleigh, N. C., as Raleigh-Durham, on routes Nos. 5 and 6, is assigned to be held on February 28, 1947, at 10:00 a. m. (eastern standard time), in Room 1302, Temporary "T" Building, 14th Street and Constitution

Ave., N. W., Washington, D. C., before Examiner Richard A. Walsh.

Dated Washington, D. C., February 10, 1947.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN, *Secretary.*

[F. R. Doc. 47-1391; Filed, Feb. 12, 1947; 8:47 a. m.]

INTERSTATE COMMERCE COMMISSION

[S. O. 675]

UNLOADING OF SODA ASH AND CLAY AT NEW ORLEANS, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of February A. D. 1947.

It appearing, that 3 cars containing soda ash and clay at New Orleans, La., on the Louisiana & Arkansas Railway Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

(a) *Soda ash and clay at New Orleans, La., be unloaded.* The Louisiana & Arkansas Railway Company, its agents or employees shall unload immediately the following cars, containing soda ash and clay, on hand at New Orleans, La., consigned for export:

GN 10089 SP 32315 T&P 70727

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., February 10, 1947, and continuing until the actual unloading of said car is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 402, 40 Stat. 101, sec. 4, 41 Stat. 476, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17) 15 (2))

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-1355; Filed, Feb. 12, 1947; 8:46 a. m.]

[S. O. 396, Special Permit 111]

RECONSIGNMENT OF APPLES AT CHICAGO, ILL.

Pursuant to the authority vested in me by paragraph (f) of the first ordering paragraph of Service Order No. 396 (10 F. R. 15008), permission is granted for any common carrier by railroad subject to the Interstate Commerce Act:

To disregard entirely the provisions of Service Order No. 396 insofar as it applies to the reconsignment at Chicago, Ill., Feb. 6, 1947, by Simon Siegel Co., of car PFE 31880, apples, now on the Chicago Produce Terminal (off I. C. RR.) to Caruso Fruit Distributors, Albany, N. Y. (Erie-D&H)

The waybill shall show reference to this special permit.

A copy of this special permit has been served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and notice of this permit shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

Issued at Washington, D. C., this 6th day of February 1947.

V. C. CLINGER, *Director, Bureau of Service.*

[F. R. Doc. 47-1361; Filed, Feb. 12, 1947; 8:47 a. m.]

[S. O. 674]

UNLOADING OF FERTILIZER AT SANTUC, S. C.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of February A. D. 1947.

It appearing, that car AA 73812, containing fertilizer at Santuc, South Carolina, on the Southern Railway Company, shipped by Swift Fertilizer Company, Columbia, S. C., has been on hand under load for an unreasonable length of time and that the delay in unloading said car is impeding its use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

(a) *Fertilizer at Santuc, S. C., be unloaded.* The Southern Railway Company, its agents or employees, shall unload immediately car AA 73812, loaded with fertilizer, now on hand at Santuc, South Carolina, consigned to C. B. Jeter, Santuc, S. C.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., February 10, 1947, and continuing until the actual unloading of said car is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 402, 40 Stat. 101, sec. 4, 41 Stat. 476, 54 Stat. 901, 911; 49 U. S. C. 1 (10)-(17), 15 (2))

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-1354; Filed, Feb. 12, 1947; 8:46 a. m.]

[S. O. 676]

UNLOADING OF VARIOUS COMMODITIES AT NEW ORLEANS, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of February A. D. 1947.

It appearing, that 13 cars containing various articles, at New Orleans, Louisiana, on the Louisville and Nashville Railroad Company, have been on hand for an unreasonable length of time, and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

(a) *Various articles at New Orleans, Louisiana, be unloaded.* The Louisville and Nashville Railroad Company, its agents or employees, shall unload immediately the following cars, loaded with various articles, now on hand at New Orleans, Louisiana, consigned for export:

MP 22327	LN 25562	PLE 1056
ACL 27730	MSTL 24712	PLE 1166
SAL 19736	NYC 57176	NYC 62113
PRR 39232	NYC 63114	NYC 62211
NW 45224		

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., February 10, 1947, and continuing until the actual unloading of said car is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 402, 40 Stat. 101, sec. 4, 41 Stat. 476, 54 Stat. 901, 911, 49 U. S. C. 1 (10)–(17), 15 (2))

By the Commission, Division 3.

[SEAL] W P BARTEL, *Secretary.*

[F. R. Doc. 47–1356; Filed, Feb. 12, 1947; 8:46 a. m.]

[S. O. 677]

UNLOADING OF VARIOUS COMMODITIES AT NEW ORLEANS, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of February A. D. 1947.

It appearing, that 7 cars containing various articles at New Orleans, La., on the Gulf, Mobile and Ohio Railroad Company, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered that:

(a) *Various commodities at New Orleans, La., be unloaded.* The Gulf, Mobile and Ohio Railroad Company, its agents or employees shall unload immediately the following cars on hand at New Orleans, La., consigned for export:

SP 43142	TNO 36277	ACL 14379
MILW 66123	CBQ 120914	NYC 65625
LN 22169		

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., February 10, 1947, and continuing until the actual unloading of said car is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 402, 40 Stat. 101, sec. 4; 41 Stat. 476, 54 Stat. 901, 911, 49 U. S. C. 1 (10)–(17) 15 (2))

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47–1357; Filed, Feb. 12, 1947; 8:46 a. m.]

[S. O. 679]

UNLOADING OF EXPORT CARS AT NEW ORLEANS, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of February A. D. 1947.

It appearing that 14 cars containing various commodities at New Orleans, La., on the New Orleans and Northeastern Railroad Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

(a) *Export cars at New Orleans, La., be unloaded.* The New Orleans and Northeastern Railroad Company, its agents or employees, shall unload immediately the following cars on hand at New Orleans, La., consigned for export:

MSTL 18242	NYC 64581	NYC 68504
NYC 144034	NYC 65921	PLE 1106
Sou 168653	NYC 68322	PLE 1129
ATSF 171392	CNW 54492	NYC 63040
BS 5555	NYC 62572	

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., February 10, 1947, and continuing until the actual unloading of said car is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 402, 40 Stat. 101, Sec. 4, 41 Stat. 476, 54 Stat. 901, 911, 49 U. S. C. 1 (10)–(17), 15 (2))

By the Commission, Division 3.

[SEAL] W P BARTEL, *Secretary.*

[F. R. Doc. 47–1359; Filed, Feb. 12, 1947; 8:47 a. m.]

[S. O. 680]

UNLOADING OF EXPORT CARS AT NEW ORLEANS, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of February A. D. 1947.

It appearing, that 19 cars containing various commodities, at New Orleans, Louisiana, on the Texas Pacific-Missouri Pacific Terminal Railroad of New Orleans, have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

(a) *Export cars at New Orleans, Louisiana, be unloaded.* The Texas Pacific-Missouri Terminal Railroad of New Orleans, its agents or employees, shall unload immediately the following cars, now on hand at New Orleans, Louisiana, consigned for export:

NYC 68980	MP 88089	NYC 153803
MKT 74983	TP 70502	LV 76524
PRR 567523	STLBM 20647	PRR 287564
MP 76335	PRR 84536	SLSF 161446
FEC 20676	CNC 9503	CNW 40035
MP 88527	PRR 62985	NYC 177708
LN 98308		

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., February 10, 1947, and continuing until the actual unloading of said car is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 402, 40 Stat. 101, sec. 4, 41 Stat. 476, 54 Stat. 901, 911, 49 U. S. C. 1 (10)–(17) 15 (2)

By the Commission, Division 3.

[SEAL] W P. BARTEL, *Secretary.*

[F. R. Doc. 47-1360; Filed, Feb. 12, 1947; 8:47 a. m.]

[S. O. 678]

UNLOADING OF AUTOMOBILES AT NEW ORLEANS, LA.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 7th day of February A. D. 1947.

It appearing, that 2 cars containing automobiles at New Orleans, La., on Texas and New Orleans Railroad Company have been on hand for an unreasonable length of time and that the delay in unloading said cars is impeding their use; in the opinion of the Commission an emergency exists requiring immediate action, it is ordered, that:

(a) *Automobiles at New Orleans, La., be unloaded.* The Texas and New Orleans Railroad Company, its agents or employees, shall unload immediately cars GA 19806 and SLSF 152741, containing automobiles, now on hand at New Orleans, La., consigned to William Osborn for export.

(b) *Demurrage.* No common carrier by railroad subject to the Interstate Commerce Act shall charge or demand or collect or receive any demurrage or storage charges, for the detention under load of any car specified in paragraph (a) of this order, for the detention period commencing at 7:00 a. m., February 10, 1947, and continuing until the actual unloading of said car is completed.

(c) *Provisions suspended.* The operation of any or all rules, regulations, or practices, insofar as they conflict with the provisions of this order, is hereby suspended.

(d) *Notice and expiration.* Said carrier shall notify V. C. Clinger, Director, Bureau of Service, Interstate Commerce Commission, Washington, D. C., when it has completed the unloading required by paragraph (a) hereof, and such notice shall specify when, where, and by whom such unloading was performed. Upon receipt of that notice this order shall expire.

It is further ordered, that this order shall become effective immediately; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission, at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 402, 40 Stat. 101, Sec. 4, 41 Stat. 476, 54 Stat. 901, 911, 49 U. S. C. 1 (10)–(17) 15 (2))

By the Commission, Division 3.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 47-1358; Filed, Feb. 12, 1947; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70—1428]

CAROLINA COACH CO. AND ROWAN-CABARRUS BUS LINE, INC.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 7th day of February A. D. 1947.

Carolina Coach Company ("Carolina Coach") a direct subsidiary of Consolidated Electric and Gas Company ("Consolidated"), a registered holding company, and Rowan-Cabarrus Bus Line, Incorporated ("Rowan"), a wholly-owned direct subsidiary of Carolina Coach, have filed a joint declaration, and an amendment thereto, pursuant to the Public Utility Holding Company Act of 1935, and certain rules and regulations promulgated thereunder regarding the following transactions:

Carolina Coach is proposing to cause Rowan to be liquidated and dissolved. As of October 31, 1946, the total outstanding securities of Rowan, all owned by Carolina Coach, consisted of 150 shares of capital stock, par value $100 per share. In addition, Carolina Coach owns all of the open account indebtedness of Rowan amounting, at the same date, to $29,929.

Preliminary to the proposed liquidation and dissolution of Rowan all of its open account indebtedness will be cancelled by Carolina Coach and treated as a capital contribution by Rowan. Thereafter Rowan proposes to undertake a program for its complete liquidation to be accomplished by the declaration and payment to Carolina Coach of a liquidating dividend, consisting of all of Rowan's property and assets at the date of the final distribution in liquidation. It is contemplated by the parties that all known liabilities of Rowan will have been satisfied prior to the payment of the liquidating dividend, any liabilities existing at the date of the liquidation are to be assumed by Carolina Coach. Upon the making of this final distribution in liquidation by Rowan, Carolina Coach will surrender the capital stock of Rowan to Rowan for retirement and cancellation, and Rowan will be dissolved in accordance with the laws of the State of North Carolina. The filing contains, among other things, a copy of an order of the Utilities Commission of North Carolina approving the proposed transactions.

The joint declaration was filed on January 3, 1947, and the amendment thereto on January 29, 1947. Notice of this filing was duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act, and the Commission has not received a request for hearing with respect thereto within the period prescribed in said notice, or otherwise, and has not ordered a hearing thereon.

The Commission finding with respect to this joint declaration, as amended, that the requirements of the applicable provisions of the act and rules thereunder are satisfied and deeming it appropriate in the public interest and in the interest of investors and consumers that said joint declaration be permitted to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of the act and subject to the terms and provisions prescribed in Rule U-24 that this joint declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 47-1371; Filed, Feb. 12, 1947; 8:50 a. m.]